IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION **DOCKET NO. 3:07-cv-00179-W**

DWAYNE BROWN,)	
Plaintiff,)	
vs.)	ORDER
JASON COLWELL, et. al.,,)	
Defendants.)))	

THE MATTER is before the Court, *sua sponte*, as to the status of Plaintiff's case. On May 31, 2007, this Court ordered Plaintiff to remit a partial filing fee of \$150.00 within twenty (20) days of that order (Doc. No. 7). The Order clearly warned Plaintiff that "Failure to remit the subject filing fee as herein directed could result in the summary dismissal of this action." (Doc. No. 7, p. 4) Nevertheless, Plaintiff failed to comply with the Court's Order, and the time for doing so has wellexpired. It also appears to the Court that Plaintiff has taken no further action in prosecution of his claim against Defendant.

IT IS THEREFORE ORDERED that Plaintiff's Complaint is DISMISSED. The Clerk is DIRECTED TO CLOSE the case.

IT IS SO ORDERED.

Signed: February 19, 2008

Frank D. Whitney

United States District Judge